



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS, TX 75202-2733

NOV 8 2007

The Honorable Pete Sessions
House of Representatives
Washington, DC 20515

Dear Congressman Sessions:

Thank you for your letter of September 26, 2007. We are happy to provide you with information regarding our endeavors to accommodate your constituent Joanna Johnson with her Freedom of Information Act (FOIA) requests.

Ms. Johnson initially requested comprehensive information. We contacted her to clarify her need. At that time, we advised her that some information she was seeking was available on the EPA public website and that information regarding used oil and some of the documents could be obtained from state agencies. She contacted us to say she was not happy with her website search. We explained to her that our database tracking capabilities were not designed to generate the information according to the criteria she requested which would entail research individually for over 6,000 sites including Superfund and RCRA enforcement information. Based on this advice, she withdrew her request and resubmitted a less extensive request.

Ms. Johnson was given from June 8th until June 22nd to provide her fee waiver justification. Her request was placed on hold on June 8th awaiting her justification. On July 6th we contacted her for her justification as we had not heard from her. At that time she withdrew her request for the fee waiver and indicated she would provide a fee commitment. The Regional FOIA Officer then instructed us to continue processing her second request. On July 30th she was again contacted and we were provided a fee commitment with a limit. To expedite her request, we faxed a CERCLIS listing identifying all active and inactive sites with oil in the name to assist her in selecting sites of interest.

We did not close out her request each time she changed the sites and data required but continued working with her. We asked a technical expert to speak with her to ensure that the nature of this request was understood and that we were approaching the request in a qualifiable manner. While we have worked diligently with Ms. Johnson and have made every effort to assist her, as well as incorporate her desired changes to the request, we regret that we have not been able to convey our intent to assist with her objective. Throughout the process, at no time did we feel she was unhappy with our attempts. We have found that requesters, at times, do not understand the level of complexity of their requests and that is unfortunate because we do make every attempt to provide quality service to the public.

We are now attempting to provide information from her latest list submitted on August 7th, for totally different sites and data than previously requested. We expect to complete her response for the above request by the end of November. Additionally, Ms. Johnson requested information unrelated to the above which was assigned to the Superfund Enforcement Assessment Team. This information is being assembled and her response will be provided shortly.

We sincerely hope that she is able to use the information provided and will feel we have satisfied her requests.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Richard E. Greene", with a stylized, cursive script.

Richard E. Greene
Regional Administrator